

Cheng *et al.*
App. No. 10/081,969

REMARKS

Claims 1-6, 16-38, 40, 41, 48-51, 58, and 59 have been allowed; claims 7-9, 16, 39, 42, 43, 61, 62, and 64 have been rejected; and claims 10, 11, 13, 14, 44, 45, 47, 63, 65, and 66 have been objected to. As set forth above, claims 7-9, 16, 17, 39, 42, 43, 62, and 64 have been amended and claim 61 has been canceled. Therefore upon entry of this amendment, claims 1-11, 13, 14, 16-45, 47-51, 58, 59, and 62-66 will be pending. Entry of the amendments and favorable consideration of the claims are respectfully requested.

Information Disclosure Statement mailed April 7, 2003

As discussed with the Examiner recently by telephone, it appears that the Information Disclosure Statement mailed April 7, 2003, has not been considered. Pursuant to the Examiner's instructions, another copy of the 4/7/03 Information Disclosure Statement and attached form PTO-1449 are submitted herewith, along with a copy of the return postcard date-stamped April 11, 2003, indicating receipt by the Office. Additional copies of the cited references are not being resubmitted at this time; however, if the Examiner would like copies of any or all of these references in the future, Applicant will be glad to provide them. The Examiner is respectfully requested to consider the cited references and return an initialed copy of the PTO-1449 form with the next Office Action.

Oath/Declaration

The oath/declaration was deemed defective because of non-initialed and/or non-dated alterations made by inventor Mario Gorziglia. The Examiner indicated that the citizenship of Mario Gorziglia had been changed to "American M6 US".

As pointed out during the aforementioned telephone conversation with the Examiner, inventor Gorziglia did in fact initial the change to his citizenship. The notation identified by the Examiner as "M6" is actually "MG", Mario Gorziglia's initials. The alteration was dated July 19, 2002, which is when Mario Gorziglia signed the Declaration.

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Applicant's undersigned representative is therefore of the understanding that the Examiner now considers the oath/declaration to be sufficient. However, the Examiner requested that Applicant submit a supplemental Application Data Sheet (ADS) to ensure that there are no ambiguities. Accordingly, a supplemental ADS is attached hereto.

Claim Rejections – 35 USC § 102

Claims 61 and 64 were rejected under 35 USC § 102(b) as being anticipated by each of Braun *et al.* (US 6,258,791), Johns *et al.* (US 6,214,620), Patel *et al.* (6,420,345), and Lieber *et al.* (WO 01/83796). To begin, Applicant assumes that this rejection was intended to be a 102(e) rejection rather than a 102(b) rejection, since all of these documents were filed before Applicant's earliest filing date, but were published after Applicant's earliest filing date. In any event, Applicant respectfully submits that the cancellation of claim 61 and the amendment of objected-to claim 62 to re-present it in independent form renders the § 102 rejections moot. Also, claim 64 has been amended so that it now depends from amended claim 62. Withdrawal of these rejections is therefore respectfully requested.

Claim Rejections – 35 USC § 112, second paragraph

Claims 7-9, 16, 17, 39, 42-43, and 62 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner rejected each of these claims as containing terms with insufficient antecedent basis.

These claims have each been amended as suggested by the Examiner to resolve the various antecedent basis issues. Accordingly, Applicant respectfully submits that the 112, second paragraph, rejections have been overcome and that these claims are now ready for allowance. Withdrawal of these rejections are therefore respectfully requested.

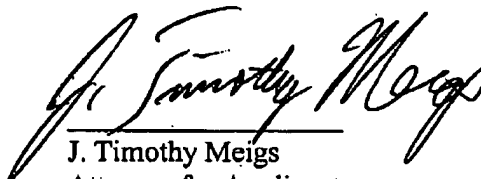
Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the instant application is now ready for allowance. Early notice to this effect is now solicited. If any

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additional information is needed, the Examiner is invited to call Applicant's undersigned representative at (301) 258-4715.

Respectfully submitted,



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